

Summary of phone conversations with examiner

I telephoned Mr. Patel on January 11, 2005, and requested an appointment for a telephone interview in which I would ask questions about the reasons the claims were rejected. I also requested that a friend of mine who is familiar with my patent would be listening and asking questions. Mr. Patel said he did not think that a third party could be involved in our phone conversation but that he would check to be sure. He called back the next day and said that the only people who were allowed to be on the phone or listening would be me, Mr. Patel, and his supervisor. I agreed to the terms and we set up a phone interview for January 18, 2005.

Mr. Patel telephoned on January 18, 2005 and his supervisor was also on the phone during the beginning of the interview. I asked why claim 1 was rejected based on prior art when I believe my claim is different from the prior art Mr. Patel cited. Mr. Patel explained that he has to read the claim without referring to any other explanation and in that case my claim can be interpreted to be covered by the prior art. I agreed that the wording of the claim could be misunderstood. I also asked about claim 9, which refers to icons and again Mr. Patel said that he has to read the claim in the most general sense and as the claims are written at present that claim is also covered by prior art. I concluded the phone interview by saying that I would clarify the claims and send a response within the allotted time.